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Plaintiff and Defendants met and conferred by telephone conference regarding this motion on September 27, 2006 and agreed that this motion will be unopposed.

September 27, 2006

Respectfully submitted,

By: /s/ Joseph D. Gray

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Merchant Money Tree, Inc., Reach Financial,  
LLC, and AmeriMerchant, LLC*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**ADVANCEME, INC.**

*Plaintiff,*

**V.**

**RAPIDPAY, LLC, BUSINESS CAPITAL CORPORATION, FIRST FUNDS LLC, MERCHANT MONEY TREE, INC., REACH FINANCIAL, LLC and FAST TRANSACT, INC. d/b/a SIMPLE CASH**

*Defendants.*

**ADVANCEME, INC.,**

*Plaintiff,*

**V.**

**AMERIMERCHANT, LLC,**  
*Defendant.*

**CAUSE NO. 6:05CV424 LED**

**CAUSE NO. 6:06cv0082 LED  
JURY TRIAL DEMANDED**

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that all counsel of record who have consented to electronic service are being served a copy of this document via the court's CM/ECF system per Local Rule CV-5(a)(3) on this the 27th day of September, 2006. Any other counsel of record will be served by first class mail on this same date.

By: /s/ Joseph D. Gray  
Joseph D. Gray

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

ADVANCEME, INC.	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	
	§	CAUSE NO. 6:05CV424 LED
RAPIDPAY, LLC, BUSINESS CAPITAL	§	
CORPORATION, FIRST FUNDS LLC,	§	
MERCHANT MONEY TREE, INC.,	§	
REACH FINANCIAL, LLC and	§	
FAST TRANSACT, INC. d/b/a	§	
SIMPLE CASH	§	
	§	
<i>Defendants.</i>	§	
ADVANCEME, INC.,	§	
	§	
<i>Plaintiff,</i>	§	
	§	CAUSE NO. 6:06cv0082 LED
v.	§	JURY TRIAL DEMANDED
	§	
AMERIMERCHANT, LLC,	§	
<i>Defendant.</i>	§	

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**ORDER GRANTING DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO  
EXCEED THE PAGE LIMIT IN RESPONSIVE CLAIM CONSTRUCTION BRIEF**

The Court having considered Defendants First Funds LLC's, Merchant Money Tree, Inc.'s, Reach Financial, LLC's, and AmeriMerchant, LLC's (collectively "Defendants") Motion for Leave to Exceed the Page Limit in Defendants' Responsive Claim Construction Brief is of the opinion that Defendants' motion should be GRANTED.

Accordingly, IT IS ORDERED that Defendants may submit a Responsive Claim Construction Brief of 36 pages, excluding the Tables of Contents and Authorities.

IT IS SO ORDERED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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The Honorable Leonard Davis  
United States District Court  
for the Eastern District of Texas